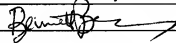


NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

960296.00129

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to *Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450* [37 CFR 1.8(a)] 26 January 2010

Signature 
Typed or printed name Bennett J. Berson

In re Application of
David C. Schwartz

Application Number
10/688,416

Filed
October 17, 2003

For Micro-Channel Long Molecule Manipulation System

Art Unit
1637

Examiner
Stephanie K. Mummert

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.


The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 17-0055.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- ☒ attorney or agent of record. 37,094
Registration number _____
- ☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____


Signature
Bennett J. Berson
Typed or printed name
608.251.5000
Telephone number
26 January 2010
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that, on the date shown below, this correspondence is being transmitted via the Patent Electronic Filing System (EFS) addressed to Examiner Mummert at the United States Patent and Trademark Office.

Date of Signature and Deposit: January 26, 2010


Bennett J. Berson, Reg. No. 37,094

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David C. Schwartz, *et al.*

Date: January 26, 2010

Serial No.: 10/688,416

Art Unit: 1637

Filing Date: October 17, 2003

Examiner: Stephanie K. Mummert

Title: MICRO-CHANNEL LONG MOLECULE MANIPULATION SYSTEM

Confirmation No.: 2216

File No.: 960296.00129

NOTICE OF APPEAL TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450


Dear Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the final rejection of Claims 1-9, 11-18, 20-31, 33-40, 42-49, 51-70 contained in the Office Action mailed on October 28, 2009 in the subject patent application.

This appeal is being taken with respect to all claims now pending.

The applicant is a large entity. The \$540.00 fee for filing this Notice of Appeal should be charged to Deposit Account No. 17-0055.

Respectfully submitted,


Bennett J. Berson
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